

15391. Adulteration of mineral water. U. S. v. Benscot Mineral Springs Co. Plea of guilty. Fine, \$100. (F. & D. No. 21589. I. S. Nos. 1748-12008-x.)

On April 30, 1927, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in District Court of the United States for said district an information against Benscot Mineral Springs Co., a corporation, Austell, Ga., alleging shipment said company, in violation of the food and drugs act, in part on or about July 27, 1926, and in part on or about August 6, 1926, from the State of Georgia into the State of Alabama, of quantities of mineral water, which was adulterated. The article was labeled in part: "Benscot Mineral Springs Company Natural Mineral Spring Water * * * Austell, Cobb Co. Ga."

A bacteriological examination by this department of samples of water from this shipment showed the water to be polluted.

It was alleged in the information that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid animal vegetable substance.

On October 1, 1927, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

R. W. DUNLAP, *Acting Secretary of Agriculture*

15392. Misbranding of Sauer Ju. U. S. v. 24 Cases of Sauer Ju. Cons decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 21704. I. S. No. 11133-x. S. No. W-2101.)

On or about March 4, 1927, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 24 cases of Sauer Ju, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the C. M. Bogle Packing Co., from Seattle, Wash., on or about February 12, 1927, and transported from the State of Washington into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis by this department showed that the article consisted of sauer kraut juice.

It was alleged in the libel that the article was misbranded, in that the following statements, borne on the label, regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained ingredient or combination of ingredients capable of producing the effect claimed: "The Elixir of Health * * * for Health Purposes * * * health building purposes * * * health building * * * highly beneficial * * * a superior agent for correcting Stomach and Intestinal Disorders Kidney Troubles, Rheumatism, Lumbago, Skin Ailments, Colds, Obesity, Alcohol Poisoning and various Contagious Diseases and for repairing the ravages upon the human system * * * excellent for Re-energizing tired run-down bodies and for renewing Physical and Mental Efficiency * * * scientific investigators have attributed the hardihood and long life of the Balto Peoples to the quantities of Lactic Acid they consume in Sauer Kraut other fermented foods * * * For Lumbago, Flatulency, Obesity and kindred ills * * * the best health medicine on earth and * * * a regulator to promote general fitness * * * for Diabetics * * * in cases of indigestion, dyspepsia and stomach derangements * * * for changing 'Intestinal Flora,' and correcting a wide variety of stubborn ills * * * Colds * * * tonic—As a tonic or for a general rundown condition."

On April 27, 1927, C. M. Bogle, Seattle, Wash., trading as the Sauer Ju Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the exact of a bond in the sum of \$100, conditioned in part that it be relabeled in accordance with the law.

R. W. DUNLAP, *Acting Secretary of Agriculture*

15393. Adulteration of oranges. U. S. v. 45 Boxes of Oranges. Product ordered destroyed. Default decree of condemnation and forfeiture entered. (F. & D. No. 21827. I. S. No. 15486-x. S. No. C-5436.)

On March 21, 1927, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in District Court of the United States for said district a libel praying seizure